

2014-1360, -1500

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

KERANOS, LLC,

Plaintiff–Appellant

UNITED MODULE CORPORATION, PETER COURTURE,
J. NICHOLAS GROSS,

Third Party Defendants

v.

SILICON STORAGE TECHNOLOGY, INC., FREESCALE
SEMICONDUCTOR, INC., MICROCHIP TECHNOLOGY, INC., SAMSUNG
SEMICONDUCTOR, INC., SAMSUNG ELECTRONICS CO., LTD., TAIWAN
SEMICONDUCTOR MANUFACTURING CO., LTD., TSMC NORTH
AMERICA,

Defendants–Appellees

*Appeal from the United States District Court
for the Eastern District of Texas in 2:13-cv-00017, Judge Michael H. Schneider*

KERANOS, LLC,

Plaintiff–Appellant

v.

ANALOG DEVICES, INC., APPLE INC., INTERNATIONAL BUSINESS
MACHINES CORPORATION, INTEL CORPORATION, NATIONAL
SEMICONDUCTOR CORPORATION, NXP SEMICONDUCTORS USA, INC.,
and TEXAS INSTRUMENTS, INC.,

Defendants–Appellees

*Appeal from the United States District Court
for the Eastern District of Texas in 2:13-cv-00018, Judge Michael H. Schneider*

**UNOPPOSED MOTION FOR WITHDRAWAL OF AGILITY IP LAW, LLP
AS CO-COUNSEL FOR PLAINTIFF-APPELLANT KERANOS, LLC**

James C. Otteson
Michelle G. Breit
AGILITY IP LAW, LLP
149 Commonwealth Dr., Ste. 1033
Menlo Park, CA 94025
650-227-4800
*Attorneys for
Plaintiff–Appellant Keranos, LLC*

April 16, 2015

Pursuant to Federal Circuit Rules 27 and 47.3(c)(5), Agility IP Law, LLP (“Agility”), plaintiff-appellant Keranos, LLC (“Keranos”), respectfully moves this Court for the unopposed withdrawal of Agility and attorneys James C. Otteson and Michelle G. Breit as co-counsel for Keranos, with the consent of: (1) Keranos; (2) co-counsel for Keranos in this proceeding, the law firm of Collins, Edmonds, Pogorzelski, Schlather & Tower; and (3) counsel for appellees.

Agility respectfully submits that good cause exists for the requested relief as explained in the accompanying declaration of James C. Otteson. The current appeal has already been fully briefed and argued, and is simply awaiting decision. Agility is currently in the process of dissolution, and Keranos has agreed to Agility’s withdrawal. Attorneys from the law firm of Collins, Edmonds, Pogorzelski, Schlather & Tower have already appeared as counsel for Keranos, and Agility’s withdrawal will not result in delay or inconvenience to any party, counsel, or the Court.

Agility has notified counsel for appellees, who have advised that appellees do not object and will not file a response to this motion.

WHEREFORE, Agility respectfully submits that its unopposed motion to withdraw its appearance by James C. Otteson and Michelle Breit should be granted. A proposed Order is submitted herewith.

Respectfully submitted,

Dated: April 16, 2015

By: /s/ James C. Otteson
James C. Otteson
Michelle G. Breit
AGILITY IP LAW, LLP
149 Commonwealth Dr., Ste. 1033
Menlo Park, CA 94025
650-227-4800

Attorneys for
Plaintiff-Appellant Keranos, LLC

CERTIFICATE OF INTEREST

Counsel for the Appellant Keranos, LLC certifies the following:

1. The full name of every party or amicus represented by me is:

Keranos, LLC

2. The name of the real party in interest (if the party named in the caption is not the real party in interest) represented by me is: **Not applicable**

3. All parent corporations and any publicly held companies that own 10 percent or more of the stock of the party or amicus curiae represented by me are:

None

4. The names of all law firms and the partners or associates that appeared for the party or amicus now represented by me in the trial court or agency or are expected to appear in this court are:

COLLINS, EDMONDS,
POGORZELSKI, SCHLATHER &
TOWER:

John J. Edmonds

AGILITY IP LAW, LLP:

James C. Otteson
Michelle G. Breit
Thomas T. Carmack
David A. Caine
John W. Downing
Monica Eno
Xiang Long
Theresa E. Norton

SPANGLER LAW P.C.
(fka Spangler & Fussell, P.C.):

Andrew W. Spangler
James A. Fussell, III

WEISBROD MATTEIS & COPLEY
PLLC:

James A. Fussell, II

Dated: April 16, 2015

/s/ James C. Otteson

James C. Otteson

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT**

IN RE KERANOS LLC, 2014-1360, -1500

DECLARATION OF JAMES C. OTTESON

1. My name is James C. Otteson. I am a member of the Bar of this Court and of the law firm Agility IP Law, LLP, co-counsel for plaintiff-appellant Keranos, LLC (“Keranos”). I make this declaration in support of Agility IP Law, LLP’s unopposed motion for withdrawal of Agility, including attorneys James C. Otteson and Michelle G. Breit, as co-counsel for Keranos.

2. Agility is currently in the process of dissolution, and expects to file a notice of dissolution with the State of California on April 17, 2015.

3. John J. Edmonds of Collins, Edmonds, Pogorzelski, Schlather & Tower has appeared as co-counsel for Keranos. Both Keranos and Keranos’s co-counsel consent to Agility’s withdrawal.

4. Earlier today, Agility contacted counsel for defendants-appellees to ask whether they would oppose Agility’s withdrawal. Brain Banner, counsel for defendants-appellees, indicated that they would not oppose Agility’s motion.

5. Agility’s withdrawal will not result in delay or inconvenience to any party, counsel, or the Court. This appeal has already been fully briefed and argued, and is awaiting decision.

I, James C. Otteson, hereby declare under penalty of perjury that the foregoing is true and correct.

Dated: April 16, 2015

By: /s/ James C. Otteson
James C. Otteson
jim@agilityiplaw.com

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT**

IN RE KERANOS LLC, 2014-1360, -1500

PROPOSED ORDER

UPON CONSIDERATION of the unopposed motion for withdrawal of Agility IP Law, LLP, including attorneys James C. Otteson and Michelle G. Breit, as co-counsel for Plaintiff-Appellant Keranos, LLC,

IT IS SO ORDERED that the motion is granted.

Dated: April ___, 2015

FOR THE COURT

By: _____

PROOF OF SERVICE

The undersigned certifies that I served a copy of the foregoing *Unopposed Motion for Withdrawal of Co-Counsel for Plaintiff-Appellant* on counsel of record on April 16, 2015 by:

- ☐ U.S. Mail
- ☐ Fax
- ☐ Hand Delivery
- ☒ Electronic Means (by email or CM/ECF)

Dated: April 16, 2015

By: /s/ James C. Otteson
James C. Otteson
Michelle G. Breit
AGILITY IP LAW, LLP
149 Commonwealth Dr., Ste. 1033
Menlo Park, CA 94025
650-227-4800

Attorneys for
Plaintiff–Appellant Keranos, LLC